

ONTRAIN WEBSITE PRIVACY POLICY

GENERAL PROVISIONS

1. This Website Privacy Policy is for informational purposes only. The Privacy Policy primarily contains rules regarding the processing of personal data by the Controller within the Website, including the grounds, purposes, and duration of personal data processing, as well as the rights of the data subjects.
2. The Controller of personal data collected via the Website is the company **OnTrain sp. z o.o.** with its registered office in Wrocław, ul. Zwycięska 3/B2, 53-033, entered into the Register of Entrepreneurs of the National Court Register under KRS number: 0001065300; the registry court where the company's documentation is kept: District Court for Wrocław-Fabryczna, 6th Commercial Division of the National Court Register; NIP: 8992974837, REGON: 526744957; e-mail address: **biuro@ontrain.pl** - hereinafter referred to as the "**Controller**" and being simultaneously the Service Provider of the Website.
3. Personal data on the Website are processed by the Controller in accordance with applicable legal regulations, in particular in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) - hereinafter referred to as "**GDPR**".
4. Using the Website, including entering into agreements, is voluntary. Similarly, the provision of personal data by the Website user is voluntary, subject to four situations:
 - **(1) when it is necessary to conclude agreements with the Controller** - failure to provide data in the cases and to the extent indicated on the Website, in the Website Terms and Conditions, and this privacy policy results in the inability to conclude and perform the agreement. In this case, providing data is a contractual requirement;
 - **(2) when it is necessary to fulfill the Controller's statutory obligations** - providing data is a statutory requirement resulting from generally applicable laws imposing an obligation on the Controller to process data (e.g., for accounting purposes);
 - **(3) for the purpose of sending a message via the contact form** available on the Website - failure to provide the data indicated in the form will result in the inability to send the message;
 - **(4) for the purpose of ordering and receiving a newsletter** regarding the Website's activities - failure to provide the data indicated in the form will result in the inability to order and receive the newsletter.
5. The Controller takes special care to protect the interests of the data subjects and, in particular, is responsible for and ensures that the collected data are: (1) processed lawfully; (2) collected for specified, lawful purposes and not subjected to further processing incompatible with those purposes; (3) factually correct and adequate in relation to the purposes for which they are processed; (4) stored in a form that permits identification of data subjects for no longer than is necessary to achieve the purpose of

processing; and (5) processed in a manner that ensures appropriate security of personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organizational measures.

6. Taking into account the nature, scope, context, and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, the Controller implements appropriate technical and organizational measures to ensure and to be able to demonstrate that processing is performed in accordance with the GDPR. These measures are reviewed and updated as necessary. The Controller uses technical measures to prevent unauthorized persons from acquiring and modifying personal data sent electronically.
7. All words, expressions, and acronyms appearing in this privacy policy starting with a capital letter (e.g., Service Provider, Website, Electronic Service) shall be understood in accordance with their definition contained in the Website Terms and Conditions available on the Website pages.
8. The recipients of personal data collected via the Website may be entities providing services to the Controller (including, in particular, IT, accounting, or legal services).
9. Personal data collected via the Website will not be processed in an automated manner and will not be subject to profiling.
10. Personal data collected via the Website are not transferred to a third country (outside the EEA).

GROUNDS FOR DATA PROCESSING

The Controller is entitled to process personal data in cases where - and to the extent that - at least one of the following conditions is met: (1)The data subject has given consent to the processing of their personal data for one or more specific purposes; (2)Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;(3)Processing is necessary for compliance with a legal obligation to which the Controller is subject;(4)Processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

PURPOSE, BASIS, AND PERIOD OF DATA PROCESSING ON THE WEBSITE

1. Each time, the purpose, basis, period, and recipients of personal data processed by the Controller result from the actions taken by a given Service Recipient on the Website.
2. The Controller may process personal data on the Website for the following purposes, on the following grounds, and for the following periods:

Purpose of processing	Legal basis for processing	Data storage period	Scope of processing
Use of the Website and ensuring its proper operation	Article 6(1)(f) of the GDPR (Legitimate interest of the controller) - processing is necessary for the purposes of the legitimate interests of the Controller consisting in running and maintaining the Website.	Data are stored for the period of the existence of the legitimate interest pursued by the Controller, but no longer than the statute of limitations for the Controller's claims against the data subject. The basic statute of limitations for claims related to business activity is three years.	In particular: time of using the Website, login statistics, application history.
1. Contacting the Website via the contact form 2. Ordering and receiving the newsletter	Article 6(1)(a) of the GDPR (Consent of the data subject) - consent is necessary for sending a message via the contact form or ordering the newsletter and is expressed by selecting the appropriate option in the form.	Data are stored for the period necessary to respond to the inquiry or settle the matter in accordance with the instruction contained in the message, or until consent is withdrawn.	Name, surname, e-mail address.

RIGHTS OF THE DATA SUBJECT

1. **Right of access, rectification, restriction, erasure, or portability** - The data subject has the right to request from the Controller access to their personal data, rectification, erasure ("right to be forgotten"), or restriction of processing, and has the right to object to processing, as well as the right to data portability. Detailed conditions for exercising these rights are set out in Articles 15-21 of the GDPR.
2. **Right to withdraw consent at any time** - A person whose data is processed by the Controller on the basis of expressed consent (pursuant to Art. 6(1)(a) or Art. 9(2)(a) of the GDPR) has the right to withdraw consent at any time without affecting the lawfulness of processing based on consent before its withdrawal.
3. **Right to lodge a complaint with a supervisory authority** - A person whose data is processed by the Controller has the right to lodge a complaint with the supervisory authority in the manner and mode specified in the provisions of the GDPR and Polish law, in particular the Act on the Protection of Personal Data. The supervisory authority in Poland is the President of the Personal Data Protection Office (Prezes Urzędu Ochrony Danych Osobowych).
4. **Right to object** - The data subject has the right to object at any time - on grounds relating to their particular situation - to the processing of personal data concerning them based on Art. 6(1)(e) (public interest) or (f) (legitimate interest of the controller), including profiling based on those provisions. In such a case, the Controller shall no longer process

the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights, and freedoms of the data subject or for the establishment, exercise, or defense of legal claims.

5. **Right to object to direct marketing** - If personal data are processed for direct marketing purposes, the data subject has the right to object at any time to the processing of personal data concerning them for such marketing, including profiling, to the extent that it is related to such direct marketing.

In order to exercise the rights referred to in this section of the privacy policy, you may contact the Controller by sending an appropriate message in writing or by e-mail to the address: **biuro@ontrain.pl**